

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:13-cv-00492-MOC-DSC

ITPEU PENSION FUND)
ITPEU HEALTH AND WELFARE FUND,)
)
Plaintiffs,)
)
Vs.)
)
PERKINS MANAGEMENT SERVICES)
COMPANY, a Delaware Corporation,)
)
Defendant.)

**DEFAULT
JUDGMENT**

THIS MATTER having come before the court for trial on plaintiffs’ Motion for Default Judgment, and it appearing that default has been entered, that plaintiffs’ are entitled to the relief they seek under ERISA, and that judgment may be rendered as to a sum certain,¹

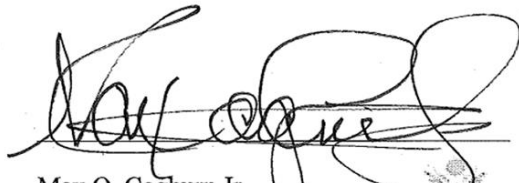
IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED that **DEFAULT JUDGMENT** is **ENTERED** in favor of plaintiffs and against defendant providing that plaintiffs have and take of defendant as follows:

1. In favor of the ITPEU Health and Welfare Fund for (a) unpaid contributions in the amount of Twenty-Three Thousand Dollars (\$23,000.00); (b) interest accrued through August 15, 2014 of Five Thousand, Three Hundred Thirty and 38/100 Dollars (\$5,330.38), and which shall continue to accrue at a rate of 1.5% per month pursuant to the Trust Agreement until the date of actual payment; and (c) liquidated damages

¹ The court has deleted requests that were not for “sums certain” contained in the Proposed default Judgment.

- of \$4,600.00, consisting of 20% of the unpaid contributions, pursuant to both the Trust Agreement and ERISA Section 502(g);
2. In favor of the IPTEU Pension Fund for (a) unpaid contributions in the amount of \$3,780.00; (b) interest accrued through August 15, 2014 of \$876.04, and continuing to accrue at a rate of 1.5% per month pursuant to the Trust Agreement until the date of actual payment; and (c) liquidated damages of \$756.00, consisting of 20% of the unpaid contributions, pursuant to both the Trust Agreement and ERISA Section 502(g); and
 3. That the Plaintiffs be awarded their attorneys' fees incurred in this matter in the amount of \$4,577.50 through August 15, 2014.

Signed: August 29, 2014



Max O. Cogburn Jr.
United States District Judge